

REMARKS

Amendments

Amendments to the Claims

Applicant has amended the claims to more particularly point out that Applicant's claimed encoded instance document represents a plurality of context nodes. No new matter has been added as a result of these amendments because they are supported on page 14, line 21 through page 15, line 6, page 15, lines 16-25, and in Figures 3A, 4A and 5A, *et seq.*

Objections

Objections to the Specification and Drawings

The Examiner objected to the specification and drawings as having reference numbers shown in the drawings but not described in the specification. Applicant has amended the specification to include the reference numbers. No new matter has been added. The amendments are supported in the drawings or elsewhere in the specification, or are apparent to one of skill in the art when read in context.

Rejections

Rejections under 35 U.S.C. § 101

Claims 19-36 and 73-90

Claims 19-36 and 73-90 stand rejected under 35 U.S.C. § 101 as being drawn to non-statutory subject matter because they can be interpreted to cover a carrier wave. Applicant has amended independent claims 19 and 73 to recite a computer-readable storage medium and respectfully requests the withdrawal of the rejection of the claims under 35 U.S.C. § 101.

Rejections under 35 U.S.C. § 103

Claims 1-5, 7, 8, 10, 12-14, 16, 19-23, 25, 26, 28, 30-32, 34, 37-41, 43, 44, 46, 48-50, 52, 55-59, 61, 62, 64, 66-68, 70, 73-77, 79, 80, 82, 84-86, 88, 91-95, 97, 98, 100, 102-104 and 106

Claims 1-5, 7, 8, 10, 12-14, 16, 19-23, 25, 26, 28, 30-32, 34, 37-41, 43, 44, 46, 48-50, 52, 55-59, 61, 62, 64, 66-68, 70, 73-77, 79, 80, 82, 84-86, 88, 91-95, 97, 98, 100, 102-104 and 106 stand rejected under 35 U.S.C. § 103(a) as being obvious over U.S. Patent 6,883,137 to Girardot et al. in view of Applicant's Admitted Prior Art (APA) and U.S. Patent 6,904,562 to Hind et al.

The Examiner appears to be equating Applicant's claimed encoded instance document with an XML document and Applicant's claimed context node with the <!DOCTYPE> root element of the XML document as disclosed in Girardot. As well-known in the art, an XML document can have only one root element. Because Applicant claims representing a plurality of context nodes in the encoded instance document and because an XML root element can occur only once in a document, the XML root element and Applicant's claimed context nodes are not art equivalences. Thus, the combination does not teach or suggest Applicant's claimed encoded instance document.

Moreover, the combination is improperly motivated. The Examiner stated that the motivation to combine Girardot, the APA and Hind is to "allow more efficient parsing of the [encoded] document" because the data would be stored "in specific sections of the encoded document." Since Girardot and Hind both disclose XML documents, it appears that the Examiner believes the prior art encoded instance document is an XML document. However, only the unencoded instance document is in XML format -- the encoded instance document is in a binary form:

An instance of a content description, such as a particular movie, is specified in an XML "instance document" that references the appropriate schema and contains a set of "descriptor values" for the required elements and attributes in the schema and for any necessary optional elements and/or attributes. An instance document is typically encoded into a binary form for transmission between the system that generated the instance document and a system that will present the multimedia content and the descriptions described in the instance document. [Specification: page 4 at lines 3-9 (emphasis added)]

Therefore, there is no support in the prior art for creating an encoded instance document in XML format, as asserted by the Examiner.

Furthermore, there is no suggestion of any advantage in modifying the prior art to transmit the XML instance document instead of the binary encoded instance document. Indeed, the APA teaches away from transmitting the XML instance document because the XML instance document is larger than the more compact binary form and thus requires more time and/or bandwidth to transmit. And as stated the Specification at page 4, lines 10-15, even transmitting the prior art binary encoded instance document can take too long over slower connections.

Therefore, because the Examiner's stated motivation is not found in the prior art and because the APA teaches away from the modification that is required to combine the references, the combination is improper.

Accordingly, the combination of Girardot, APA and Hind cannot render obvious Applicant's invention as claimed in claims 1-5, 7, 8, 10, 12-14, 16, 19-23, 25, 26, 28, 30-32, 34, 37-41, 43, 44, 46, 48-50, 52, 55-59, 61, 62, 64, 66-68, 70, 73-77, 79, 80, 82, 84-86, 88, 91-95, 97, 98, 100, 102-104 and 106, and Applicant respectfully requests the withdrawal of the rejection of the claims under 35 U.S.C. § 103(a) over the combination.

Claims 6, 9, 11, 15, 17, 24, 27, 29, 33, 35, 42, 45, 47, 51, 53, 60, 63, 65, 69, 71, 78, 81, 83, 87, 89, 96, 99, 101, 105 and 107

Claims 6, 9, 11, 15, 17, 24, 27, 29, 33, 35, 42, 45, 47, 51, 53, 60, 63, 65, 69, 71, 78, 81, 83, 87, 89, 96, 99, 101, 105 and 107 stand rejected under 35 U.S.C. § 103(a) as being obvious over the combination of Girardot, APA and Hind in view of U.S. Patent 6,772,180 to Li et al.

Li does not do not teach or suggest an encoded instance document the represents multiple context nodes as claimed by Applicant. In addition, because the combination of Girardot, the APA and Hind is improperly motivated, the further combination of Girardot, the APA, Hind and Li is similarly improper.

Therefore, the combination of Girardot, APA, Hind and Li cannot render obvious Applicant's invention as claimed in claims 6, 9, 11, 15, 17, 24, 27, 29, 33, 35, 42, 45, 47, 51, 53, 60, 63, 65, 69, 71, 78, 81, 83, 87, 89, 96, 99, 101, 105 and 107, and Applicant

respectfully requests the withdrawal of the rejection of the claims under 35 U.S.C. § 103(a) over the combination.

Claims 18, 36, 54, 72, 90 and 108

Claims 18, 36, 54, 72, 90 and 108 stand rejected under 35 U.S.C. § 103(a) as being obvious over the combination of Girardot, APA and Hind in view of U.S. Patent 6,901,431 to Dodrill et al.

The Examiner asserts that because Dodrill allows a user to specify a particular XML document to process, Dodrill discloses a reset field as claimed. However, there is no disclosure in Dodrill that even suggests creating a reset field in an encoded instance document as claimed. Similarly, there is no disclosure in Dodrill that suggests extracting a reset field from an encoded instance document as claimed.

Furthermore, Dodrill does not teach or suggest an encoded instance document that represents multiple context nodes as claimed by Applicant. Moreover, because Dodrill is directed to XML documents, for the reasons given above, there is no motivation to combine Girardot, the APA, Hind and Dodrill. Accordingly, the combination of Girardot, the APA, Hind and Dodrill is improper.

Therefore, the combination of Girardot, APA, Hind and Dodrill cannot render obvious Applicant's invention as claimed in claims 18, 36, 54, 72, 90 and 108. Applicant respectfully requests the withdrawal of the rejection of the claims under 35 U.S.C. § 103(a) over the combination.

SUMMARY

Claims 1-108 are currently pending. In view of the foregoing amendments and remarks, Applicant respectfully submits that the pending claims are in condition for allowance. Applicant respectfully requests reconsideration of the application and allowance of the pending claims.

If the Examiner determines the prompt allowance of these claims could be facilitated by a telephone conference, the Examiner is invited to contact Sue Holloway at (408) 720-8300 x3476.

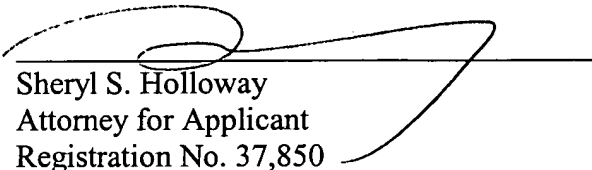
Deposit Account Authorization

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due. Furthermore, if an extension is required, then Applicant hereby requests such extension.

Respectfully submitted,

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